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Dated: August 29, 2007

Signature: [Signature]

(Kevin M. Kocun)

Docket No.: SPINE 3.0-395 CONT  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Markworth et al.

Application No.: 10/655,440

Group Art Unit: 3733

Filed: September 4, 2003

Examiner: M. C. Hoffman

For: SYSTEM FOR USE IN SPINAL  
STABILIZATION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT


Dear Sir:

It is respectfully requested that the reference(s) listed on the enclosed form be made of record and considered with respect to the above-referenced U.S. patent application. A copy of each reference which is not a U.S. patent or patent application is enclosed. Submission of the present Information Disclosure Statement should not be taken as an admission that the cited references are legally available prior art or that the same are pertinent or material.

In the event that any fee is due in connection with the present Information Disclosure Statement, the Commissioner is hereby authorized to charge the same to our Deposit Account No. 12-1095.

Dated: August 29, 2007

Respectfully submitted,

By   
Kevin M. Kocun  
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LD-458\

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REQUEST FOR CONSIDERATION OF INFORMATION UNDER 37 CFR § 1.97 (C)

Dear Sir:

It is respectfully requested that the references cited in the enclosed form be considered pursuant to 37 C.F.R. § 1.97(c). Please charge deposit account No. 12-1095 in the amount of \$180.00 pursuant to 37 C.F.R. § 1.17(p). In the event that any additional fee is due in connection with the present request, the same should be charged to our deposit account No. 12-1095.

Dated: August 29, 2007

Respectfully submitted,

By 

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Used in Lieu of PTO/SB/08A/B  
(Based on PTO 04-07 version)

Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	2	Application Number	10/655,440-Conf. #6452
				Filing Date	September 4, 2003
				First Named Inventor	Aaron Markworth
				Art Unit	3733
				Examiner Name	M. C. Hoffman
				Attorney Docket Number	SPINE 3.0-395 CONT

### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA*	US-4,347,845	09-07-1982	Mayfield	
	AB*	US-4,841,960	06-27-1989	Garner	
	AC*	US-4,898,161	02-06-1990	Grundel et al.	
	AD*	US-5,268,001	12-07-1993	Nicholson et al.	
	AE*	US-5,370,646	12-06-1994	Reese et al.	
	AF*	US-5,466,243	11-14-1995	Schmieding et al.	
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	AA1*	US-20030009168	01-09-2003	Beale et al.	

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document Country Code <sup>2</sup> -Number <sup>2</sup> -Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>3</sup>
	BA	EP-737449	10-16-1996	Biomat		
	BB	DE-4238339	05-19-1994	Brehm Peter		
	BC	WO 03/003928	01-16-2003	Sdgi Holdings Inc		

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. \* Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Date Considered	T <sup>2</sup>
Examiner Signature 795599				

Substitute for form 1449/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				Application Number	10/655,440-Conf. #6452
				Filing Date	September 4, 2003
				First Named Inventor	Aaron Markworth
				Art Unit	3733
				Examiner Name	M. C. Hoffman
Sheet	2	of	2	Attorney Docket Number	SPINE 3.0-395 CONT

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<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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